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RECEIVED

DEC 5 1996

Federal Communications Commission
Office of Secretary

December 5, 1996

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington D.C. 20554

Re: CC Docket 96-98 Second Report and Order - State Implementation Plans

Dear Mr. Caton:

In accordance with the Commission's Second Report and Order ("Order"), Appendix B-Final Rules, Section 51.213, a local exchange carrier ("LEC") is required to file an implementation plan for providing intraLATA toll dialing parity with each state commission in which it provides telephone exchange service. If the LEC determines that a state commission has elected not to review its plan or will not complete its review in sufficient time to meet the implementation deadlines mandated in the Order, the LEC must file its plan with the Commission by December 5, 1996 (i.e., 90 days after publication of the Final Rules in the Federal Register).¹

¹ On October 7, 1996, GTE filed a Petition for Clarification ("Petition") which, among other things, asked the Commission to clarify this requirement, noting that a LEC may not have sufficient information by December 5, 1996 to determine whether a state commission will evaluate its plan in advance of the date required by the LEC to meet its implementation deadline. GTE explained that in the 28 states in which it operates, many state proceedings addressing intraLATA toll dialing parity are underway and that by December 5, GTE likely would not have a clear indication from the state commissions regarding their ability to issue timely orders or intention to review GTE's plans. Moreover, GTE explained that it is probable that a number of states will issue orders after the Commission's December 5 deadline that, nevertheless, will be timely enough to meet GTE's requirements for implementation. It was GTE's intent, therefore, to

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At this time, GTE has not been advised by any state commission that it will not be able to issue a timely order or that it will not review GTE's plan, nor has GTE been able independently to identify any state commission that will not be able to issue a timely order.

Attached is a summary of the status of each state in which GTE operates which includes GTE's state-specific implementation schedules. As reflected in the summary, orders already have been issued in 17 states and in 9 others GTE has submitted plans that are in various stages of the review process. An implementation plan has not yet been filed in Texas. The Public Utility Commission of Texas ("Texas PUC") has initiated a rulemaking proceeding, Project No. 16133, regarding the provision of intraLATA equal access. (21 Tex. Reg. 6865 (July 23, 1996)). The Texas PUC has solicited comments from interested parties, and GTE anticipates that a rule will be issued in the near future. In this regard, GTE recently has advised the Texas PUC of a potential conflict that could develop between its proposed rule and the Commission's implementation deadlines.

In the 11 states still open, GTE is in the process of notifying each state commission of GTE's need for an order on its plan no later than mid-March 1997 to allow it sufficient time to notify its customers and to meet the Commission's deadline. GTE expects that each of these remaining states will act in a timely fashion.

The Commission's Order states that those implementation plans that are filed with the Commission promptly will be placed on Public Notice. The LEC's plan will be deemed approved on the 15th day following the date of the Public Notice, unless the Common Carrier Bureau does not approve the plan or an opposition to the plan is filed giving reasons why the plan is not in the public interest. With this fifteen-day approval process, a state commission must issue its decision on GTE's plan no later than mid-March 1997. Of course, should GTE be advised at an earlier date of a state's inability or unwillingness to review its plan, or should

obtain clarification that the Commission did not want a state implementation plan filed on December 5 unless the LEC had been able to determine, with a degree of certainty, that a timely evaluation by the state was not possible or had been advised by the state commission that it would not be reviewing the LEC's plan. The Commission, however, has not acted on GTE's Petition.

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GTE independently determine that the state will not act in time, GTE will file its plan with the Commission immediately.

Should you have any questions or a need for further information, please contact me directly at (202) 463-5291.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon Maxson". The signature is fluid and cursive, with the first name "Gordon" and last name "Maxson" clearly distinguishable.

Gordon Maxson
Director - Regulatory Affairs

Attachments

**INTRALATA EQUAL ACCESS
IMPLEMENTATION SCHEDULE
For Technically Capable Offices**

12/03/96

States Completed

MN	2/15/96
Contel AZ	4/20/96
MI	6/30/96
HI	7/10/96
GTE WC	9/10/96
IL	11/1/96

States Scheduled for Monthly Conversions

	From	Through
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FL	6/30/96	2/4/97
GTE CA	9/10/96	3/4/97
KY	9/10/96	3/4/97
NC	9/10/96	2/4/97
OH	9/10/96	3/4/97
PA	9/10/96	3/4/97
SC	9/10/96	3/4/97
WA	9/10/96	2/4/97
WI	9/10/96	1/7/97
NE	10/8/96	1/7/97
Contel CA	11/5/96	3/4/97

AK converts offices as the IXC's request equal access. One office converted 10/1/92; five offices are scheduled for 1/29/97; five offices have not been requested; and one office is served out of BC Tel (the remaining offices may require upgrades to be technically capable.)

Not Scheduled due to IC Intervention and/ or PUC Suspension or Generic Proceeding

AL	Tariff suspended to 1/10/97; prehearing conf. held 12/3/96 to set procedural schedule.
AR	Tariff filed 11/25/96.
IA	Tariff suspended; Hearing cancelled; Briefs due 12/10, 12/31.
ID	Tariff conditionally approved to 12/20/96; implementation pending commission approval of negotiated stipulation which AT&T has signed.
IN	Will refile tariff and schedule in accordance with Order issued 11/26/96.
MO	Tariff suspended to 1/97; GTE testimony filed 11/1/96; Hearing scheduled 2/10/97.
NM	Tariff pending; Hearing held 9/17 - 10/18/96. Brief filed 11/26/96.
OK	Tariff pending.
OR	Tariff suspended; Hearing scheduled 1/8/97.
VA	Tariff pending; expect generic docket to be opened.
Contel NV	Tariff suspended up to 2/9/97; expect generic docket to be opened.

Tariffs/Schedules Not Filed

TX	Filing date to be determined based on pending rulemaking.
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Attachment A

**GTE TELEPHONE OPERATIONS
INTRALATA TOLL DIALING PARITY
IMPLEMENTATION PLAN
FOR TECHNICALLY CAPABLE OFFICES**

State	Current State Commission Schedule	If GTE Receives State Commission Order By:	GTE Will Propose to Notify Customers 60 Days Prior or By:	GTE Will Propose to Provide IntraLATA 1+ On:
AL	Docket No. 25535 GTE Filed: 05/28/96 Prehearing Conference: 12/03/96 Negotiation Mtg: 12/23/96 Deadline for Proposed Settlement: 12/27/96 Tariff suspended to: 01/10/97 Testimony (as needed): 01/17/97 Hearing (as needed): 01/24/97	03/01/97	04/17/97	06/17/97
AR	GTE Filed: 11/25/96	03/14/97	05/08/97	07/08/97
IA	Docket No. RPU-96-6 (TF-96-209) GTE Filed: 05/21/96 Tariff suspended: 06/20/96 GTE direct testimony: 08/09/96 Intervenor direct: 09/10/96 Intervenor rebuttal: 09/24/96 GTE rebuttal: 10/11/96 Hearing: Cancelled Initial Brief: 12/03/96 Reply Brief: 12/17/96	03/01/97	04/17/97	06/17/97

State	Current State Commission Schedule	If GTE Receives State Commission Order By:	GTE Will Propose to Notify Customers 60 Days Prior or By:	GTE Will Propose to Provide IntraLATA 1+ On:
ID	Case NO. GTE-T-96-1 GTE Filed: 05/28/96 Provisional tariff approved to: 12/20/96 PUC approval of Stipulation: 12/96 est.	12/15/96	02/01/97	04/01/97* * Within 120 days from date of order per stipulation.
IN	Cause No. 40284 GTE Filed: 05/15/96 Commission Order issued: 11/26/96 (Requires IC notification 120 days in advance and EU notification 30 days in advance of implementation.)		Phase 1: 03/01/97 Phase 2: 04/06/97*	Phase 1: 04/01/97 Phase 2: 05/06/97* *Two phases due to number of lines.
MO	Docket TO-96-135 GTE Filed: 05/13/96 GTE direct testimony: 11/01/96 Intervenor rebuttal: 12/20/96 GTE surrebuttal: 01/17/97 Hearing Memo: 01/31/97 Hearing: 02/10/97	03/14/97	05/08/97	07/08/97
NM	Docket 95-572-TC GTE Filed: 06/18/96 Intervenor direct testimony: 06/18/96 Rebuttal: 08/30/96 Hearing: 09/17/96- 10/18/96 Parties file Proposed Orders: 11/26/96	03/14/97	05/08/97	07/08/97

State	Current State Commission Schedule	If GTE Receives State Commission Order By:	GTE Will Propose to Notify Customers 60 Days Prior or By:	GTE Will Propose to Provide IntraLATA 1+ On:
NV	Docket No. 96-7036 GTE Filed: 07/24/96 Tariff suspended to: 02/09/97	03/01/97	04/17/97	06/17/97
OK	Docket 960000178 GTE Filed: 06/20/96 No schedule established.	03/14/97	05/08/97	07/08/97
OR	UT 132 GTE Filed: 05/29/96 Tariff suspended to: 01/17/96 Comments: 11/22/96 Reply comments: 12/20/96 Hearing: 01/08/97	03/01/97	04/17/97	06/17/97
TX	Docket 16133 GTE Filed: TBD Rulemaking to be completed by: 12/96 est.	03/01/97	Phase 1: 04/17/97 Phase 2: 05/08/97*	Phase 1: 06/17/97 Phase 2: 07/08/97 *Two phases due to number of lines.
VA	Case No. PUC850035 GTE Filed: 05/28/96 No schedule established.	03/14/97	05/08/97	07/08/97